

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

GOOGLE LLC,

Plaintiff,

v.

Civil Action No. 1:21-cv-10260-DLC

DMITRY STAROVIKOV; ALEXANDER
FILIPPOV;
Does 1–15,

Defendants.

**STIPULATION OF SETTLEMENT REGARDING FEES AND WITHDRAWAL OF FEE
APPLICATION AS TO IGOR LITVAK**

Plaintiff Google LLC (“Google”) and non-party Igor Litvak, counsel of record for Defendant Dmitry Starovikov and former counsel to Defendant Alexander Filippov, jointly stipulate as follows:

1. On December 29, 2022, pursuant to the Court’s order (ECF 144), Google and Mr. Litvak participated in mediation through the Southern District of New York Mediation Program in connection with the sanctions levied against Mr. Litvak. *See* ECF 145.
2. Google and Mr. Litvak have reached an agreement to resolve Google’s Motion for Attorneys’ Fees (ECF 137, hereinafter “Fee Application”) as to Mr. Litvak only. The terms of that agreement are memorialized in a settlement agreement between Google and Mr. Litvak and his law firm, Litvak Law Firm PLLC (collectively with Mr. Litvak, the “Litvak Parties”), dated January 20th, 2023 (the “Settlement Agreement”), as set forth below.
 - a. Google and Mr. Litvak agree to execute a Stipulation of Settlement, to be filed with the Court, and Google agrees to withdraw its fee application as to Mr. Litvak only.

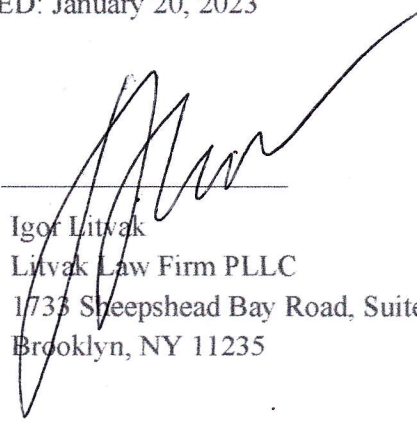
- b. The Litvak Parties jointly and severally agree to pay Google a total of \$250,000, in ten payments of \$25,000, at six-month intervals. Mr. Litvak agrees to pay \$25,000 to Google on or before each of the following dates:

Payment 1	January 31, 2023
Payment 2	July 31, 2023
Payment 3	January 31, 2024
Payment 4	July 31, 2024
Payment 5	January 31, 2025
Payment 6	July 31, 2025
Payment 7	January 31, 2026
Payment 8	July 31, 2026
Payment 9	January 31, 2027
Payment 10	July 31, 2027

- c. The Litvak Parties agree that, should Mr. Litvak fail to make a payment on or before the agreed date—and fail to cure such non-payment within seven days—the full outstanding amount less the total amount already paid to Google under the Settlement Agreement shall be due and collectible immediately.
- d. Mr. Litvak agrees to provide to Google certain information not subject to the attorney client privilege.
- e. Mr. Litvak agrees to waive any right to appeal the Court's Order and Opinion dated November 15, 2022, concerning the Parties' respective sanctions motions (ECF 132) and the Court's Order and Opinion dated December 5, 2022, concerning Defendants' Motion for Reconsideration (ECF 135).
- f. Mr. Litvak agrees to execute two affidavits of confession of judgment:
- The first with the execution of the Settlement Agreement, for the full amount due under the Settlement Agreement less any payments already received by Google pursuant to the Settlement Agreement.
 - The second with Payment 5, on or before January 31, 2025, but no sooner than July 31, 2024, for the full amount due under the Settlement Agreement, less any payments already received by Google pursuant to the Settlement Agreement as of January 31, 2025.

3. The Litvak Parties agree that they are bound by the terms of the Settlement Agreement and that they will not contest the validity of the Settlement Agreement or the reasonableness of the terms thereunder.
4. This Stipulation of Settlement and any Order entered thereon shall have no precedential value or effect whatsoever and shall not be admissible in any other action or proceeding as evidence or for any other purpose except in an action or proceeding to enforce this Stipulation of Settlement.
5. Google hereby withdraws its Fee Application as to Mr. Litvak only. Nothing in this stipulation shall have any effect on the Fee Application as to Defendants Starovikov and Filippov.
6. The Court shall retain jurisdiction over this matter for the purposes of enforcing the terms of the Settlement Agreement.

DATED: January 20, 2023



Igor Litvak
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Respectfully submitted,

/s/ Laura Harris

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Counsel for Plaintiff Google LLC

SO ORDERED:

Dated: _____, 2023.

Hon. Denise L. Cote
United States District Judge